

R E M A R K S

Claims 4-14, 24 and 25 are presently pending in this application and have been subject to restriction as follows:

- I. Claims 4-5, drawn to polypeptides;
- II. Claims 6-12, drawn to polynucleotides, vectors and host cells;
- III. Claims 13-14, drawn to microorganisms containing specific plasmids, pRS1b, pRS2a, pRS4 or plasmid pPRS7; and
- IV. Claims 24-25, drawn to a process of preparation of a chemical compound.

In support of the present restriction requirement, the Examiner has alleged that the subject matter of the pending claims represent distinct inventions because Inventions I, II and III are patently distinct from each other. According to the Examiner, the polypeptide of Group I, the polynucleotide of Group II, and the microorganisms of Group III are all products, each comprising amino acid sequences and nucleotide sequences which are chemically unrelated, which do not require each other for practice, and which have separate utilities.

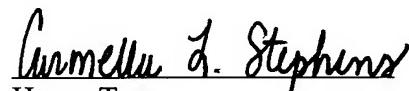
The requirement for restriction is respectfully traversed because there is clearly a structural and functional relationship between the claims of Groups I, II and III. The claims of Groups I, II and III all relate to a polypeptide having a specific aminohydrolase activity. The claims of Group I relate to the aminohydrolase polypeptide; the claims of Group II relate to a nucleotide sequence encoding the aminohydrolase polypeptide; and the claims of Group III relate to vectors and host cells, including microorganisms having specific plasmids, capable of encoding the aminohydrolase polypeptide. Given the structural and functional relationship between the subject matter encompassed by the pending claims of Groups I, II and III, Applicants request reconsideration of the restriction requirement. Moreover, Applicants assert that there would not be an undue search burden to examine the pending claims as a single group.

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Additionally, Applicants respectfully direct the Examiner's attention to the restriction requirement issued in U.S. Patent Application Serial No. 09/214,679 ("the '679 application). The present application is a divisional of the '679 application. A review of the restriction requirement, which is attached herewith as Exhibit A, indicates that the Examiner had previously determined that claims to "polypeptides having aminohydrolase activity and polynucleotides encoding it, vectors and host cells were considered a single invention."

Thus, for reasons detailed above, Applicants request withdrawal of the requirement for restriction. However, in order to be fully responsive to the requirement for restriction, Applicants elect, with traverse, the claimed polynucleotides, vectors and host cells of Group II. Favorable consideration and allowance of the claims is earnestly solicited.

Respectfully submitted,


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